

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 4 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SCOTT of Virginia) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 698, by the yeas and nays;

H.R. 1425, by the yeas and nays.

The vote on H.R. 1722 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

INDUSTRIAL BANK HOLDING COMPANY ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 698, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 698, as amended.

The vote was taken by electronic device, and there were—yeas 371, nays 16, answered “present” 1, not voting 44, as follows:

[Roll No. 384]

YEAS—371

Abercrombie	Bishop (NY)	Capps
Ackerman	Blackburn	Capuano
Aderholt	Blunt	Cardoza
Alexander	Boehner	Carnahan
Allen	Bonner	Carney
Altmire	Bono	Carter
Andrews	Boozman	Castle
Arcuri	Boren	Castor
Baca	Boswell	Chabot
Bachmann	Boucher	Chandler
Bachus	Boustany	Clarke
Baldwin	Boyd (FL)	Cleaver
Barrett (SC)	Boyda (KS)	Clyburn
Barrow	Brady (PA)	Coble
Bartlett (MD)	Braley (IA)	Cohen
Barton (TX)	Brown (SC)	Cole (OK)
Bean	Brown-Waite,	Conaway
Becerra	Ginny	Conyers
Berkley	Burgess	Cooper
Berman	Burton (IN)	Costa
Berry	Butterfield	Courtney
Biggert	Calvert	Cramer
Bilbray	Camp (MI)	Crenshaw
Bilirakis	Cantor	Crowley
Bishop (GA)	Capito	Cubin

Cuellar	Kaptur	Price (GA)	Woolsey	Wynn	Young (AK)
Culberson	Keller	Price (NC)	Wu	Yarmuth	Young (FL)
Cummings	Kennedy	Pryce (OH)			
Davis (AL)	Kildee	Putnam			
Davis (CA)	Kilpatrick	Radanovich	Baker	Franks (AZ)	Rohrabacher
Davis (IL)	King (IA)	Rahall	Bishop (UT)	Hastert	Royce
Davis, David	Kingston	Ramstad	Campbell (CA)	Issa	Shadegg
Davis, Jo Ann	Klein (FL)	Rangel	Cannon	Mack	Westmoreland
Davis, Lincoln	Kline (MN)	Regula	Feeney	Matheson	
Davis, Tom	Knollenberg	Rehberg	Flake	Poe	
Deal (GA)	Kucinich	Reichert			
DeFazio	Kuhl (NY)	Renzi			
Delahunt	Lamborn	Reyes			
DeLauro	Lampson	Reynolds			
Dent	Langevin	Rodriguez			
Diaz-Balart, M.	Lantos	Rogers (AL)	Akin	Gerlach	Murtha
Dicks	Larsen (WA)	Rogers (KY)	Baird	Gutierrez	Pence
Dingell	Larson (CT)	Rogers (MI)	Blumenauer	Hinojosa	Peterson (PA)
Donnelly	Latham	Ros-Lehtinen	Brady (TX)	Hulshof	Rush
Doolittle	LaTourette	Roskam	Brown, Corrine	Hunter	Sanchez, Loretta
Doyle	Lee	Ross	Buchanan	Johnson (GA)	Shays
Drake	Levin	Rothman	Buyer	Jones (OH)	Shimkus
Dreier	Lewis (CA)	Roybal-Allard	Carson	Kind	Simpson
Duncan	Lewis (GA)	Ruppersberger	Clay	King (NY)	Stupak
Edwards	Lewis (KY)	Ryan (OH)	Costello	Kirk	Sullivan
Ehlers	Linder	Ryan (WI)	Davis (KY)	LaHood	Tanner
Ellison	Lipinski	Salazar	DeGette	Lofgren, Zoe	Towns
Ellsworth	LoBiondo	Salli	Diaz-Balart, L.	Marchant	Upton
Emanuel	Loeb sack	Sánchez, Linda	Doggett	McMorris	Wamp
Emerson	Lowey	T.	Fortenberry	Rodgers	Wexler
Engel	Lucas	Sarbanes			
English (PA)	Lungren, Daniel	Saxton			
Eshoo	E.	Schakowsky			
Etheridge	Lynch	Schiff			
Everett	Mahoney (FL)	Schmidt			
Fallin	Maloney (NY)	Schwartz			
Farr	Manzullo	Scott (GA)			
Fattah	Markay	Scott (VA)			
Ferguson	Marshall	Sensenbrenner			
Filner	Matsui	Serrano			
Forbes	McCarthy (CA)	Sessions			
Fossella	McCarthy (NY)	Sestak			
Fox	McCaul (TX)	Shea-Porter			
Frank (MA)	McCollum (MN)	Sherman			
Frelinghuysen	McCotter	Shuler			
Galleghy	McCrery	Shuster			
Garrett (NJ)	McDermott	Sires			
Giffords	McGovern	Skelton			
Gilchrest	McHenry	Slaughter			
Gillibrand	McHugh	Smith (NE)			
Gillmor	McIntyre	Smith (NJ)			
Gohmert	McKeon	Smith (TX)			
Gonzalez	McNerney	Smith (WA)			
Goode	McNulty	Snyder			
Goodlatte	Meehan	Solis			
Gordon	Meek (FL)	Souder			
Granger	Meeks (NY)	Space			
Graves	Melancon	Spratt			
Green, Al	Mica	Stark			
Green, Gene	Michaud	Stearns			
Grijalva	Miller (FL)	Sutton			
Hall (NY)	Miller (MI)	Tancredo			
Hall (TX)	Miller (NC)	Tauscher			
Hare	Miller, Gary	Taylor			
Harman	Miller, George	Terry			
Hastings (FL)	Mitchell	Thompson (CA)			
Hastings (WA)	Mollohan	Thompson (MS)			
Hayes	Moore (KS)	Thornberry			
Heller	Moore (WI)	Tiahrt			
Hensarling	Moran (KS)	Tiberi			
Hergert	Moran (VA)	Tierney			
Herseht Sandlin	Murphy (CT)	Turner			
Higgins	Murphy, Patrick	Udall (CO)			
Hill	Murphy, Tim	Udall (NM)			
Hinche	Musgrave	Van Hollen			
Hirono	Myrick	Velázquez			
Hobson	Nadler	Visclosky			
Hodes	Napolitano	Walberg			
Hoekstra	Neal (MA)	Walden (OR)			
Holden	Neugebauer	Walsh (NY)			
Holt	Nunes	Walz (MN)			
Honda	Oberstar	Wasserman			
Hooley	Obey	Schultz			
Hoyer	Olver	Waters			
Inglis (SC)	Ortiz	Watson			
Inslee	Pallone	Watt			
Israel	Pascrell	Waxman			
Jackson (IL)	Pastor	Weiner			
Jackson-Lee	Paul	Welch (VT)			
(TX)	Payne	Weldon (FL)			
Jefferson	Pearce	Weller			
Jindal	Perlmutter	Whitfield			
Johnson (IL)	Peterson (MN)	Wicker			
Johnson, E. B.	Petri	Wilson (NM)			
Johnson, Sam	Pickering	Wilson (OH)			
Jones (NC)	Pitts	Wilson (SC)			
Jordan	Platts	Wolf			
Kagen	Pomeroy				
Kanjorski	Porter				

Woolsey
Wu

NAYS—16

Franks (AZ)
Hastert
Issa
Mack
Matheson
Poe

Rohrabacher
Royce
Shadegg
Westmoreland

ANSWERED “PRESENT”—1

Gingrey

NOT VOTING—44

Akin	Gerlach	Murtha
Baird	Gutierrez	Pence
Blumenauer	Hinojosa	Peterson (PA)
Brady (TX)	Hulshof	Rush
Brown, Corrine	Hunter	Sanchez, Loretta
Buchanan	Johnson (GA)	Shays
Buyer	Jones (OH)	Shimkus
Carson	Kind	Simpson
Clay	King (NY)	Stupak
Costello	Kirk	Sullivan
Davis (KY)	LaHood	Tanner
DeGette	Lofgren, Zoe	Towns
Diaz-Balart, L.	Marchant	Upton
Doggett	McMorris	Wamp
Fortenberry	Rodgers	Wexler

□ 1856

Messrs. FRANKS of Arizona, MACK, ISSA and HASTERT changed their vote from “yea” to “nay.”

Mr. GOODLATTE and Mr. CANTOR changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. ROGERS of Michigan. Mr. Speaker, pursuant to clause 2(a), paragraph 1 of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

H. RES. —

Whereas the Code of Official Conduct provides that a Member “may not condition the inclusion of language to provide funding for a Congressional earmark . . . on any vote cast by another member”;

Whereas Chairman Reyes filed the Report to accompany the bill H.R. 2082, the Intelligence Authorization Act for Fiscal Year 2008;

Whereas the report states that, with respect to the requirements of clause 9 of House Rule XXI, “The following table provides the list of such provisions included in the bill or report,” and includes a table of 26 items identifying “Requesting Member,” “Subject,” and “Dollar Amount (in Thousands)”;

Whereas the referenced table includes an item denoted as: Requesting Member, Mr. Murtha; Subject, NATIONAL INTELLIGENCE PROGRAM COMMUNITY MANAGEMENT ACCOUNT—National Drug Intelligence Center; Dollar Amount, \$23 million;

Whereas the Gentleman from Michigan, Mr. Rogers, offered and voted for a motion to recommit the bill to change the provisions of the aforementioned Murtha earmark during its consideration in the House;

Whereas as a result of Mr. Rogers' motion and vote on the Murtha earmark, the Gentleman from Pennsylvania, Mr. Murtha subsequently threatened to withdraw support for earmarks providing funding for projects located in the Gentleman from Michigan's district;

Whereas on May 17, 2007, in the House Chamber, the Gentleman from Pennsylvania stated, in a loud voice words to the effect, to the Gentleman from Michigan as a result of offering and voting for the motion to recommit, "I hope you don't have any earmarks in the defense appropriation bill because they are gone and you will not get any earmarks now and forever.";

Whereas the Gentleman from Michigan responded, in words to the effect, "this is not the way we do things here and is that supposed to make me afraid of you?";

Whereas the Gentleman from Pennsylvania raised his voice, pointed his finger and stated, in words to the effect, "that's the way I do it.";

Whereas the gentleman from Pennsylvania (Mr. Murtha) is the ninth most senior member of Congress, whose seniority ranks him over 426 of his 433 colleagues in the House;

Whereas the gentleman from Pennsylvania chairs the Appropriations Subcommittee on Defense;

Whereas the gentleman from Pennsylvania (Mr. Murtha), the second-ranking and second longest serving Democrat on the Appropriations Committee, has been described in numerous media accounts as a master of the legislative process and an expert on earmarks; and

Whereas the gentleman from Pennsylvania (Mr. Murtha) has stated that he is a former member of the House Committee on Standards of Official Conduct, whose members are among the most knowledgeable in the House concerning the ethical obligations of Members of Congress: Now, therefore, be it

Resolved, That the Member from Pennsylvania, Mr. Murtha has been guilty of a violation of the Code of Official Conduct and merits the reprimand of the House for the same.

□ 1900

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Michigan will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will resume. There was no objection.

STAFF SERGEANT MARVIN "REX" YOUNG POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the mo-

tion to suspend the rules and pass the bill, H.R. 1425, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 1425.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 0, not voting 47, as follows:

[Roll No. 385]

YEAS—385

Abercrombie	Cuellar	Hobson
Ackerman	Culberson	Hodes
Aderholt	Cummings	Hoekstra
Alexander	Davis (AL)	Holden
Allen	Davis (CA)	Holt
Altmire	Davis (IL)	Honda
Andrews	Davis, David	Hooley
Arcuri	Davis, Jo Ann	Hoyer
Baca	Davis, Lincoln	Inglis (SC)
Bachmann	Davis, Tom	Inslee
Bachus	Deal (GA)	Israel
Baker	DeFazio	Issa
Baldwin	Delahunt	Jackson (IL)
Barrett (SC)	DeLauro	Jackson-Lee
Barrow	Dent	(TX)
Bartlett (MD)	Diaz-Balart, M.	Jefferson
Barton (TX)	Dicks	Jindal
Bean	Dingell	Johnson (GA)
Becerra	Donnelly	Johnson (IL)
Berkley	Doolittle	Johnson, E. B.
Berman	Doyle	Johnson, Sam
Berry	Drake	Jones (NC)
Biggert	Dreier	Jordan
Bilbray	Duncan	Kagen
Bilirakis	Edwards	Kanjorski
Bishop (GA)	Ehlers	Kaptur
Bishop (NY)	Ellison	Keller
Bishop (UT)	Ellsworth	Kennedy
Blackburn	Emanuel	Kildee
Blunt	Emerson	Kilpatrick
Boehner	Engel	King (IA)
Bonner	English (PA)	Kingston
Bono	Eshoo	Klein (FL)
Boozman	Etheridge	Kline (MN)
Boren	Everett	Knollenberg
Boswell	Fallin	Kucinich
Boucher	Farr	Kuhl (NY)
Boustany	Fattah	Lamborn
Boyd (FL)	Feeney	Lampson
Boyda (KS)	Ferguson	Langevin
Brady (PA)	Finler	Lantos
Braley (IA)	Flake	Larsen (WA)
Brown (SC)	Forbes	Larson (CT)
Brown-Waite,	Fossella	Latham
Ginny	Fox	LaTourette
Burgess	Frank (MA)	Lee
Burton (IN)	Franks (AZ)	Levin
Butterfield	Frelinghuysen	Lewis (CA)
Calvert	Galleghy	Lewis (GA)
Camp (MI)	Garrett (NJ)	Lewis (KY)
Campbell (CA)	Giffords	Linder
Cannon	Gillibrand	Lipinski
Cantor	Gillmor	LoBiondo
Capito	Gingrey	Loeback
Capps	Gohmert	Lowey
Capuano	Gonzalez	Lucas
Cardoza	Goode	Lungren, Daniel
Carnahan	Goodlatte	E.
Carney	Gordon	Lynch
Carter	Granger	Mack
Castle	Graves	Mahoney (FL)
Castor	Green, Al	Maloney (NY)
Chabot	Green, Gene	Manzullo
Chandler	Hall (NY)	Markey
Clarke	Hall (TX)	Marshall
Cleaver	Hare	Matheson
Clyburn	Harman	Matsui
Coble	Hastert	McCarthy (CA)
Cohen	Hastings (FL)	McCarthy (NY)
Cole (OK)	Hastings (WA)	McCaul (TX)
Conaway	Hayes	McCollum (MN)
Conyers	Heller	McCotter
Cooper	Hensarling	McCrery
Costa	Herger	McDermott
Courtney	Hereth Sandlin	McGovern
Cramer	Higgins	McHenry
Crenshaw	Hill	McHugh
Crowley	Hinche	McIntyre
Cubin	Hirono	McKeon

McNerney	Putnam	Snyder
McNulty	Radanovich	Solis
Meehan	Rahall	Souder
Meek (FL)	Ramstad	Space
Meeks (NY)	Rangel	Spratt
Melancon	Regula	Stark
Mica	Rehberg	Stearns
Michaud	Reichert	Sutton
Miller (FL)	Renzi	Tancredo
Miller (MI)	Reyes	Tauscher
Miller (NC)	Reynolds	Taylor
Miller, Gary	Rodriguez	Terry
Miller, George	Rogers (AL)	Thompson (CA)
Mitchell	Rogers (KY)	Thompson (MS)
Mollohan	Rogers (MI)	Thornberry
Moore (KS)	Rohrabacher	Tiahrt
Moore (WI)	Ros-Lehtinen	Tiberi
Moran (KS)	Roskam	Tierney
Moran (VA)	Ross	Turner
Murphy (CT)	Rothman	Udall (CO)
Murphy, Patrick	Roybal-Allard	Udall (NM)
Murphy, Tim	Ruppersberger	Van Hollen
Musgrave	Ryan (OH)	Velázquez
Myrick	Ryan (WI)	Visclosky
Nadler	Salazar	Walberg
Napolitano	Sali	Walden (OR)
Neal (MA)	Sánchez, Linda	Walsh (NY)
Neugebauer	T.	Walz (MN)
Nunes	Sarbanes	Wasserman
Oberstar	Saxton	Schultz
Obey	Schakowsky	Waters
Olver	Schiff	Watson
Ortiz	Schmidt	Watt
Pallone	Schwartz	Waxman
Pascroll	Scott (GA)	Weiner
Pastor	Scott (VA)	Welch (VT)
Paul	Sensenbrenner	Weldon (FL)
Payne	Serrano	Weller
Pearce	Sessions	Westmoreland
Perlmutter	Sestak	Whitfield
Peterson (MN)	Shadegg	Wicker
Petri	Shea-Porter	Wilson (NM)
Pickering	Sherman	Wilson (OH)
Pitts	Shuler	Wilson (SC)
Platts	Sires	Wolf
Poe	Skeltton	Woolsey
Pomeroy	Slaughter	Wu
Porter	Smith (NE)	Wynn
Price (GA)	Smith (NJ)	Yarmuth
Price (NC)	Smith (TX)	Young (AK)
Pryce (OH)	Smith (WA)	Young (FL)

NOT VOTING—47

Akin	Gilchrest	Pence
Baird	Grijalva	Peterson (AK)
Blumenauer	Gutierrez	Royce
Brady (TX)	Hinojosa	Rush
Brown, Corrine	Hulshof	Sanchez, Loretta
Buchanan	Hunter	Shays
Buyer	Jones (OH)	Shimkus
Carson	Kind	Shuster
Clay	King (NY)	Simpson
Costello	Kirk	Stupak
Davis (KY)	LaHood	Sullivan
DeGette	Lofgren, Zoe	Tanner
Diaz-Balart, L.	Marchant	Towns
Doggett	McMorris	Upton
Fortenberry	Rodgers	Wamp
Gerlach	Murtha	Wexler

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Speaker, on Monday, May 21, 2007, I was absent from the House for medical reasons. Had I been present I would have voted: On rollcall No. 384—"yea"; on rollcall No. 385—"yea."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 384 and 385.